

***REGULAR ANDOVER CITY COUNCIL MEETING – APRIL 1, 2014  
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Mike Gamache, April 1, 2014, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present:	Mike Knight, Sheri Bukkila, Julie Trude and Tony Howard
Councilmember absent:	None
Also present:	City Administrator, Jim Dickinson Community Development Director, Dave Carlberg Director of Public Works/City Engineer, David Berkowitz City Attorney, Scott Baumgartner Others

***PLEDGE OF ALLEGIANCE***

***RESIDENT FORUM***

No one wished to address the Council.

***AGENDA APPROVAL***

Staff submitted supplemental information for Item 10 (Sketch Plan Review Continued – Winslow Woods – Paul Emmerich Construction).

***Motion*** by Bukkila, Seconded by Knight, to approve the Agenda as amended above. Motion carried unanimously.

***APPROVAL OF MINUTES***

*March 18, 2014, Regular Meeting:* Correct as amended.

Councilmember Trude requested a correction on page four, line 35; the minutes referred to the trail going to the west under the railroad tracks and it should be going to the east. She would like a correction to the location.

***Motion*** by Trude, Seconded by Howard, to approve the minutes as amended. Motion carried unanimously.

**CONSENT ITEMS**

- Item 2 Approve Payment of Claims
- Item 3 Approve Plans & Specs/Order Ad for Bids/12-37A/Andover Blvd. NW & Crosstown Blvd. NW Turn Lane Improvements (See Resolution R021-14)
- Item 4 Approve Resolution/LRRWMO JPA (See Resolution R022-14)
- Item 5 Approve Appointment Fire Chief
- Item 6 Change Fee Schedule (See Ordinance 435)
- Item 7 Approve Naming 40 Acre Sports Complex & Field Names/3535 – 161<sup>st</sup> Avenue NW/12-31
- Item 8 Approve Service & Licensing Agreement - CivicPlus

**Motion** by Trude, Seconded by Howard, approval of the Consent Agenda as read. Motion carried unanimously.

**CALL FOR SALE OF BONDS – EHLERS & ASSOCIATES**

Mr. Dickinson explained as part of the 2014 – 2018 Capital Improvement Plan (CIP) the City contemplated the issuance of bonds for various public improvements and equipment purchases.

Mr. Todd Hagen, Ehlers & Associates, reviewed the pre-sale report with the Council.

Councilmember Trude wondered why the City was issuing bonds because she felt the residents would want to know. Mr. Dickinson stated it is for public works and public safety equipment, also the City is looking at consolidating what they would have done an issuance for in 2015 so they will be saving money from an issuance perspective. The predictions are interest rates will rise, so it is anticipated there will also be interest expense savings. This will help with the City's cash flow too.

**Motion** by Trude, Seconded by Bukkila, to approve Resolution R023-14, for the sale of equipment certificates. Motion carried unanimously.

**SKETCH PLAN REVIEW CONTINUED – WINSLOW WOODS – PAUL EMMERICH CONSTRUCTION**

Mr. Carlberg explained the City Council on March 18, 2014 reviewed the sketch plan of Winslow Woods submitted by Paul Emmerich Construction. The sketch plan is a 52-acre, 99 – lot urban residential development located south of Sophie's South and east of the Winslow Hills developments.

Mr. Carlberg reviewed the staff information with the Council regarding the Wintergreen Street temporary cul-de-sac connection in the proposed development.

Councilmember Bukkila stated she is undecided on the Wintergreen Street connection. She stated

she did not like the turns that were added and the way the street comes out and adjoins with the adjacent streets. She stated she would rather see this stay as a permanent cul-de-sac. Councilmember Trude agreed and indicated she took multiple photos of the proposed park site and talked with the neighboring residents. She noted a lot of trees will be removed if the Wintergreen Street connection is made and she feels this would really cut up the neighborhood. She stated the residents feel if the Wintergreen Street connection is made it will change the whole traffic pattern of the neighborhood and she agreed. By changing the traffic pattern in this area this may make some families feel unsafe. She stated the Fire Department will still be able to access the development.

Councilmember Trude felt keeping the traffic patterns the way they are will benefit all of the existing residents in the new neighborhood and the new development will have their own access. She noted there are no turn lanes for Yellowpine Street as there are for Xeon Street which makes Xeon Street a safer way for traffic to enter the development. Councilmember Bukkila wanted to make sure the trail coming down the west side of Xeon Street will be maintained in the winter because one of the issues they will have is kids walking in the area and she wanted to make sure the kids are not walking on the street. Mr. Berkowitz stated Xeon Street is a State Aid Street and will be maintained and opened throughout the year.

Councilmember Howard stated he is in favor of having Wintergreen Street go through and did not think the tree loss would be significant. This was always designated as a temporary cul-de-sac so he thought it should go through. By not putting it through he thought it would harm the people fronting Xeon Street because now there are only two accesses and fifty percent of the traffic will need to go by them and would cut Wintergreen Street off. He did not feel a lot of traffic will go down Wintergreen Street.

Mayor Gamache stated he looked at the discussion from 2005 and because they have laid this out and the traffic flow of the original plan with the cul-de-sac going through some time in the future, it still makes sense that those plans were the best laid out they could have because it does tie the neighborhoods together. He did not see this as being that big of an issue. He indicated he did not have an issue with Wintergreen Street going through.

Councilmember Trude stated there is a pipeline going through the development and they will have some lots that no one is going to want to buy. She stated the lots will sit in the development as eyesores, and that will not benefit everyone. She stated that ultimately they were trying to build a community where people want to live and stay.

Councilmember Trude showed photos of the wooded area by the Wintergreen Street cul-de-sac. Councilmember Trude also showed photos she had taken that afternoon of the property immediately south of Sophie's Park and to the south and east of the park. She explained that the photos of poplars on the hill were south of the basketball court and had been delineated as wetland and also had marsh grasses. She explained the area along the park's southeast boundary, for about thirty feet, and going to the east in the proposed development, behind the existing homes was an area with many red oaks and other mature trees and was the area the neighborhood was proposing be added to the

existing park for passive use and nature trails.

Mayor Gamache asked the developer if he had an opinion about the connection into the northern piece into Sophie's South. Mr. Olson stated he agreed with Councilmember Trude and that it is not really a necessary connection. He feels it is inviting more people to come over towards Yellowpine Street. He stated if the connection is not made, it does give them an extra lot and by not making the connection, he felt it will give them a better neighborhood.

Councilmember Trude asked if the connection is made, will the cul-de-sac bulb stay. Mr. Carlberg stated it was built to permanent standards but the development does reserve the right to make it a standard road and the developer would go in and remove the wings to make it a standard road.

There was discussion regarding extending the cul-de-sac to the proposed roadway. Mr. Carlberg indicated the Fire Chief would want the Wintergreen Street connection extended for safety.

Mr. Berkowitz stated if the roadway is connected it will tie in the water main to that location. It can still be done without the extension of the roadway but it would then be an easement through the yards and they would have to evaluate that as they move forward in the preliminary plat.

Ms. Carol Schmeichel, 1146 152<sup>nd</sup> Lane NW, stated the residents would prefer to have the permanent Wintergreen Street cul-de-sac. She thought the main issue was with safety concern because realistically it does detract from both developments. She stated if it is the public safety issue, that could be a reason to open up the cul-de-sac. She did agree that there would not be a lot more traffic added.

Mr. Jim Traver, 1134 152<sup>nd</sup> Lane, stated regarding the intersection for Crosstown Boulevard and Yellowpine Street, passing is allowed but he thought this was something that needs to be changed because it is dangerous and he thought the passing zone should be moved. He stated another concern is the 50 mph sign right before Yellowpine Street. He thought anything the City can do to encourage the use of Xeon Street should be done. He stated the Yellowpine Street intersection is very narrow and he did not think a fire truck would be able to maneuver the new street very well.

Mayor Gamache asked if there is a right turn lane on Crosstown Boulevard at Yellowpine Street. Mr. Berkowitz indicated there is not a turn lane or shoulder, passing is allowed within that location.

Councilmember Knight stated that the plan showing the connection at Wintergreen Street looks klutzy. Mayor Gamache explained the change of angle of the street occurred during the platting of Sophie's. Councilmember Bukkila stated that is why she wanted to see how the plan would look with the streets connected. Councilmember Trude stated there are a lot of things making it difficult to carve the land up here. Mayor Gamache inquired if the developer needed direction on the issue of the street connection and whether he was planning to begin the project this year. The developer affirmed his plans were to be in the ground this year. Mayor Gamache polled the Councilmembers.

Councilmember Knight stated he is leaning towards the public safety factor, primarily for emergency vehicles.

Mayor Gamache thought they needed to do something on Crosstown Boulevard at Yellowpine Street. Councilmember Bukkila agreed. Mr. Berkowitz stated Crosstown Boulevard was a County road at the time of the last development and turn lane improvements were not required. Since then, regulations have changed and turn lane improvements would likely need to be done. He stated next time Crosstown Boulevard will be improved will be in fifteen to twenty years and will be evaluated at that time unless the funding for this would be added onto the developer costs. Councilmember Bukkila thought the only improvement needed would be to add a double yellow line on the road for no passing in that area. Mr. Berkowitz agreed.

Councilmember Trude wondered about 150<sup>th</sup> Lane as the other access. The trade off for the developer could be if they could work with the Holasek family to get Xeon Street extended to 150<sup>th</sup> Lane and have that be the safety ingress/egress or fire truck route. Then the Wintergreen Street connection would not need to happen. Mayor Gamache thought if they could get that idea onto the next plan that would be great.

Mayor Gamache stated the emergency access they have, while not perfect, should work. Councilmember Howard stated he is not fond of the emergency access coming off Crosstown Boulevard. He did not think a ladder truck would make it through the access. Councilmember Bukkila disagreed and felt the fire trucks would be able to get into the development through that access, if needed.

Councilmember Howard proposed a motion to make the Wintergreen Street cul-de-sac permanent. He stated he understood the public safety and the kids issue and would yield to the members. He stated he is looking at the whole picture and he made his stand. Councilmember Trude thought the developer only needed direction on this item. Mr. Dickinson clarified that the developer needed clear direction on this issue. Council discussion continued. Mayor Gamache stated the consensus was that the developer did not need to connect Wintergreen Street to the Winslow Woods plat.

Mr. Carlberg reviewed the staff report regarding the proposed park in the proposed development.

Councilmember Trude stated the wetland would become a natural buffer to the parkland which would give a larger park expansion and the cost for wetland would be zero. She thought the way to honor Winslow Holasek is to make this a parkland which would leave some of the woods in the plat called Winslow Woods. She noted that he was a farmer who left trees on his farm land, he served the City for a long time as an early councilmember, a resident who attended many meetings and knew many people and who was also a member of the Open Space Commission. Others added comments about Winslow Holasek attending meetings and providing information to councilmembers. Councilmember Trude noted that even after taking this small piece of land for park, she noted the Park Commission would also receive about \$236,000 in park dedication fees. With play equipment already installed at Sophie's and residents volunteering to help with nature

trails, this small amount of park land is not costing very much. Mr. Dickinson stated that the calculation for park dedication fees is based only on preliminary information and could change at final plat. Councilmember Trude said this area of woods would create a nice walking path off the street and that a similar path is very popular in her neighborhood. Councilmember Howard asked the developer if they are planning on using any piece of the wetland for drainage for the project. Mr. Larry Olson indicated they have not gotten into the drainage planning at this phase but he did not think it would be used much. They would be providing an outlet for the storm water pipes that come in from Sophie's South which would give it more of a controlled elevation. He envisioned the backyards going in that direction.

Councilmember Bukkila stated she has been involved in some of the discussion with some of the Park Commissioners and this process has been seemingly awkward from the beginning. The Park Commission felt there was a lot of valuable input that came out of their meetings, they liked the amount of input the members put in. She stated the Park Commission has to review and discuss the items in a short amount of time and she received a phone call from a few of them indicating they were not comfortable with their decision. There is a lot of afterthought after hearing more discussion and reviewing information, they would like to be able to review this item further. She recommended slowing this down and have staff coordinate a meeting with the Park and Recreation and Open Space Commissions to try to come to a decision about this.

Councilmember Trude felt the decision lies with the Council and they have heard input from both Commissions. She stated the developer wants to get moving and she felt this needed to move forward. Councilmember Bukkila disagreed and thought the Commissions should be able to have more time to review this information.

Mr. Dickinson thought the main point was if the Council is looking for park land from this development and if so, where. Councilmember Howard thought they did but he did not think it should be dedicated park land. He is hesitant to take all the wetland and he does not feel comfortable paying any money for wetland. He did like the idea of leaving something natural in Winslow's honor. He thought it would be a nice gesture on the Council's part. Councilmember Knight agreed and thought it had potential for people to just wander around.

Mr. Carlberg stated in the staff report there is a section out of the 2011 park dedication study, with mini and neighborhood parks, they currently have more than what they identified in the study. Mayor Gamache indicated they want this to be as natural as possible and low cost maintenance.

Mayor Gamache thought the Council was in agreement regarding the cul-de-sacs coming off Xeon Street backing up to the railroad tracks and that they should remain as shown. Mr. Carlberg noted the developer lost two lots by having these as cul-de-sacs.

Councilmember Howard wondered if there is any way to regulate that the fences be open or cyclone on side yards along Xeon Street. Mr. Carlberg stated they cannot regulate materials other than uniform materials, color and height.

Mr. Carlberg reviewed the Xeon Street connection to 150<sup>th</sup> Lane with the Council.

Mr. Larry Olson stated he understood what the Council wants and is not part of the negotiations with the current land owners, but he stated that land was not up for sale. Mayor Gamache asked if there is a chance to have that discussion with the property owner.

Ms. Carol Schmeichel stated regarding the park concern, that is something that the residents of Sophie's South are passionate about and how important it is to expand the park area with the number of kids in the neighborhood. She thought some passive land enriches Sophie's Park, the neighborhoods, and she indicated she would not develop it, simple nature trails would be great. She also thought woods would be an added benefit to the neighborhoods.

Mayor Gamache thanked the residents for their input.

#### ***SCHEDULE ECONOMIC DEVELOPMENT AUTHORITY COMMISSIONER INTERVIEWS***

Mr. Dickinson requested the Council schedule EDA Commissioner Interviews. He suggested cancelling the EDA meeting and scheduling the interviews in its place.

Councilmember Trude asked if they could change the time to 5:30 p.m. The Council thought that would be okay.

***Motion*** by Knight, Seconded by Howard, to cancel EDA meeting on April 15, 2014, at 6:00 p.m. Motion carried unanimously.

***Motion*** by Knight, Seconded by Trude, to schedule EDA Commissioner Interviews on April 15, 2014, at 5:30 p.m. Motion carried unanimously.

#### ***ADMINISTRATOR'S REPORT***

City Staff updated the Council on the administration and city department activities, legislative updates, updates on development/CIP projects, and meeting reminders/community events.

Mr. Berkowitz updated the Council on Public Works activities in the City.

Mayor Gamache asked Mr. Berkowitz what the normal speed is of the trains on the tracks. Mr. Berkowitz thought it was 55 mph but would check and send the information to the Council.

Councilmember Knight wanted to commend the street crews for their hard work this snow plow season.

Mr. Carlberg updated the Council on community development activities and events in the City. He stated the North Suburban Home Show was March 22, 2014 at the Community Center and

they had a great turn out.

***MAYOR/COUNCIL INPUT***

***(Street Repairs)*** Mayor Gamache stated there is a pothole on Crosstown Boulevard by the water main on the road and he is worried the water pipe may get damaged if the asphalt breaks away. Councilmember Howard stated another problem is on Nightingale Street and Crosstown Boulevard, the dirt is washing away the edge.

***(Recycling Day)*** Mayor Gamache stated recycling day is April 26, 2014. Good time to clean out the yard and garage.

***(Thank You)*** Councilmember Trude stated the Scheicel family wanted to thank Mr. Carlberg for keeping them informed about meetings.

***ADJOURNMENT***

Motion by Knight, Seconded by Howard, to adjourn. Motion carried unanimously. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Sue Osbeck, Recording Secretary



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